

### **REMARKS**

Claims 1-16 are currently pending in this application. Claims 1-16 are rejected over prior art. Reconsideration and allowance of the claims are requested in view of the following remarks.

### **DRAWINGS**

Replacement FIG. 6 is submitted to correct the minor objection made by the Examiner.

### **CLAIM REJECTIONS – 35 U.S.C. §103(a)**

Claims 1, 4-6, 8, 10-11 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in view of Bayley (USP 6,101,173). Applicants traverse this rejection.

Applicants agree with the Examiner that the admitted prior art (APA) does not teach or suggest defining a dynamic search window having a time width which increases in proportion to a time duration of the inactive period. However, the Examiner alleges that Bayley teaches the features not taught or suggested by the APA, and that it would have been obvious to one skilled in the art to combine the teachings of Bayley with the APA. Applicants disagree.

Claim 1 of the present application recites that the dynamic search window increases in proportion to the inactive period. In other words, the time width of the *dynamic search window* is **dependent** on the time duration of the *inactive period*. On the other hand, Bayley discloses that an increase or a decrease of the reacquisition time is **dependent** on a measured magnitude of a shift in pilot signal phase over the last wakeup period, which in turn effects the duration of a *wakeup time*. Column 6, lines 1-5, and 8-34. Bayley discloses that the reacquisition time is

dependent on the shift change of the pilot signal phase, **and not** on the duration of the inactive period.

The Examiner is of the opinion that “comparing SHIFT (210 FIG. 2) and increasing the reacquisition time R (216 & 218 FIG. 2)[, which] is processed a multiple times accordingly when there are no more messages (in inactive mode)” teaches the time width of the dynamic search window increasing in proportion to the time duration of the inactive period. Applicants disagree.

As remarked above, Bayley discloses that inactive period is dependent on the measured magnitude of the shift in pilot signal phase over the last wakeup period. The magnitude of the shift in pilot signal phase depends on the static or dynamic movement of the mobile receiver. Column 6, lines 1-5. Bayley discloses the movement of a mobile receiver (static or dynamic) changes the magnitude of the shift in pilot signal phase, which in turn increases or decreases the wakeup time.

Applicants submit that even if the teachings of APA and Bayley are combined, the combination would still fail to disclose all the features of claim 1. Accordingly, claim 1 is patentable over the Examiner’s cited references, and similarly recited claims 10 and 13 are also patentable for the same reasons. Dependent claims 4-6, 8, and 11, which directly or indirectly depend on either claim 1 or 10, are also patentable for depending on allowable base claims.

Claims 2, 3, 12 and 14-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over the APA in view of Bayley in further view of Hutchison, IV et al. (USP 5,790,589).

As remarked above with respect to the patentability of base claims 1 and 13, the combination of the APA and Bayley fails to disclose all the features of claims 1 and 13; therefore, dependent claims 2-3, 12 and 14-16 are also patentable for the same reasons given above. In addition, Hutchison et al. fails to cure the deficiencies of either the APA or Bayley.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-16 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

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**Amendments to the Drawings**

Please replace Fig. 6 with the attached replacement Fig. 6.